

REMARKS/ARGUMENTS***Pending Claims***

Claims 6, 8, 9 and 10 are pending in this application. It is respectfully submitted that independent claim 6 (directed to a method of responding to an information request) and independent claim 9 (directed to a system for responding to an information request), as well as dependent claims 8 and 10 depending therefrom, respectively, are patentable over the cited references. Reconsideration is respectfully requested in view of the following remarks and a telephonic interview previously requested.

Prior Amendment, Office Action, and Request for Interview

The Advisory Action mailed December 21, 2005 rejected claims 1, 2 and 6 to 9 under 35 U.S.C. § 102(b) as being anticipated by Hart (U.S. Patent No. 5862344). The Advisory Action mailed September 8, 2005 asserted that the remarks and amendments of the Reply filed December 2, 2005 were considered, but found unpersuasive. Applicants filed a Reply to Office Action on February 8, 2006. Applicants likewise filed a Request for Interview on February 15, 2006, requesting an interview prior to the issuance of another Office Action if the Examiner did not consider the application in condition for allowance.

Rather than scheduling an interview as requested, however, the Office issued another Office Action on May 2, 2006. That outstanding Office Action is objectionable and improper on various grounds as set forth below, and should be withdrawn.

Objections to Outstanding Office Action

- The outstanding Office Action issued without the scheduling of an interview as specifically requested by the Applicants. It appears that the Request had been overlooked at the time that the Office Action issued. The undersigned has contacted the Examiner and is presently preparing an interview agenda for such interview; however, the present Action should not have issued prior to such interview and should be withdrawn.
- The outstanding Office Action does not indicate that the prior rejections have been deemed persuasive or that the prior rejections have been withdrawn. Nor does the outstanding Office Action provide an explanation as to why the Applicants' remarks and

amendments have not been deemed persuasive. Accordingly, the rejections of the December 21, 2005 Office Action still remain in the file and are repeated in the present Office Action, placing a cloud over the claims. Applicants have no way of determining why the arguments and amendments were not deemed persuasive, however. As set forth in the MPEP at § 707.07(f), the examiner must answer the substance of Applicants' arguments. As a result, the present Office Action is improper, and should be withdrawn or supplemented.

- The previously filed Reply to Office Action set forth an extensive recitation of the "Distinctive Features of the Present Invention." The outstanding Office Action does not so much as mention this recitation of the Applicants' previously filed Reply. The MPEP, however, specifically states that "If it is the examiner's considered opinion that the asserted advantages are not sufficient to overcome the rejection(s) of record, he or she should state the reasons for his or her position in the record". *Id.* The outstanding Office Action makes no such mention of the features explained in detail in the prior Reply. Accordingly, Applicants have no way of knowing if such features have been considered, or if such features were considered unpersuasive. As a result, the present Office Action is improper, and should be withdrawn or supplemented.
- While the Office has cited new references and has furnished copies of two non-patent references, the copies provided do not show the date of the reference. Accordingly, Applicants are unable to access the appropriateness of the references as prior art to the invention. As a result, the Office Action is improper, and should be withdrawn.

Requested Action

The undersigned is faxing an interview agenda to the Examiner shortly. Accordingly, Applicants request that a telephonic interview be promptly scheduled for a morning time so that Applicants and/or British counsel may likewise attend to the same. Moreover, Applicants respectfully submit that the present Office Action should be withdrawn until such time as the interview has been conducted.

Summary

In summary, as explained in greater detail in the prior Reply, the present invention is not disclosed, anticipated by, rendered obvious by, or appreciated by the Hart reference. Applicants

likewise submit that the invention is not anticipated or rendered obvious by the Reed reference presently cited, insofar as Reed is a properly applied prior art reference.

Conclusion

A telephonic interview has been requested and the Examiner is invited to call the undersigned attorney to schedule the same. Applicants respectfully submit that the patent application is in condition for allowance.

Respectfully submitted,



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